

for Tuesday, March 15, 1994, from 9 to 12 p.m.

ADDRESSES: The meeting will be held at the Washington Vista Hotel, Monticello Room, 1400 M Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jill Nevius, Committee Management Officer, Thrift Depositor Protection Oversight Board, 808 17th Street, NW., Washington, DC 20232, 202/416-2626.

SUPPLEMENTARY INFORMATION: Section 14(b) of the Resolution Trust Corporation Completion Act, Public Law 103-204, establishes the Affordable Housing Advisory Board to advise the Thrift Depositor Protection Oversight Board (Oversight Board) and the Board of Directors of the Federal Deposit Insurance Corporation (FDIC) on policies and programs related to the provision of affordable housing. The Advisory Board consists of the Secretary of Housing and Urban Development (HUD), the Chairperson of the Board of Directors of the FDIC (or delegate), a nonvoting member, the Chairperson of the Oversight Board (or delegate), a nonvoting member, four persons appointed by the Secretary of HUD who represent the interests of individuals and organizations involved in using the affordable housing programs, and two members of the Affordable Housing Advisory Board appointed by such Board. The Affordable Housing Advisory Board was chartered March 10, 1994, and Public Law No. 103-204 requires that its first meeting take place not later than March 16, 1994.

Agenda

A detailed agenda will be available at the meeting. Discussions will include a review of RTC's and FDIC's Affordable Housing Disposition Programs and their unification plan, sale of non-performing loans to nonprofits and public agencies, and the affordable housing provisions of the Resolution Trust Completion Act.

Statements

Interested persons may submit, in writing, data, information or views on the issues pending before the Affordable Housing Advisory Board prior to or at the meeting. Seating is available on a first come first served basis for this open meeting.

Dated: March 10, 1994.

Jill Nevius,
Committee Management Officer.
(FR Doc. 94-5933 Filed 3-10-94; 9:46 am)
BILLING CODE 2222-01-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

[Notice No. 791 Ref: ATF O 1100.63F]

Delegation Order—Delegation of Authority to Accept or Reject Offers in Compromise

1. *Purpose.* This order delegates the authority to accept or reject certain offers in compromise of liabilities incurred under chapters 32, 51, 52, 53, and 78, Title 26 U.S.C., and liabilities incurred under the Federal Alcohol Administration (FAA) Act.

2. *Cancellation.* ATF O 1100.63E, Delegation to the Associate Director (Compliance Operations), Division Chiefs (Compliance), Regional Directors (Compliance) and Chief, Tax Processing Center to Accept or Reject Offers in Compromise, dated April 7, 1992, is canceled.

3. *General.* a. The authority to accept or reject offers in compromise of liabilities arising under chapters 32, 51, 52, and 53, and sections 7652 and 7653 (chapter 78), Title 26 U.S.C., and the provisions of the FAA Act is vested in the Director, Bureau of Alcohol, Tobacco and Firearms, by Treasury Department Order No. 120-01 (formerly Order No. 221), dated June 6, 1972; Treasury Department Order No. 120-03, dated November 5, 1990; and 27 CFR 70.482 and 70.483.

b. The term tax liability used throughout this document includes all principal, interest, additional amounts, addition to the tax, or assessable penalties.

4. *Discussion.* This order authorizes regional directors (compliance) and the Chief, Tax Processing Center, to take final action on selected offers in compromise previously requiring action by the division chiefs (compliance). This order also gives the Chief, Tax Processing Center authority to resolve certain cases involving permittees when these cases are in enforced collection status.

5. *Delegations.* Pursuant to the authority vested in the Director by Treasury Department Orders No. 120-01 and 120-03, and subject to the limitations contained in applicable regulations and procedures, there is hereby delegated the following authority relating to the offers in compromise of liabilities (other than forfeiture) arising under chapters 32, 51, 52, 53, and 78, Title 26 U.S.C., and under the FAA Act.

a. *Associate Director and Deputy Associate Director (Compliance Operations).* (1) The Associate Director and Deputy Associate Director

(Compliance Operations) are authorized to accept or reject offers in compromise of all liabilities arising from:

(a) Violations of chapters 32, 51, 52 and 53, Title 26 U.S.C.

(b) Violations of sections 7652 and 7653 (chapter 78), Title 26 U.S.C., insofar as those sections relate to commodities subject to tax under chapters 32, 51, 52, and 53.

(c) Violations of the FAA Act.

(d) Cases which combine liabilities arising from violations of chapter 51, Title 26 U.S.C. and the FAA Act.

(2) This delegation is limited to offers in compromise which do not exceed \$1,000,000.

b. *Division Chiefs (Compliance).* (1) Each division chief (compliance) is authorized to accept or reject offers in compromise of all liabilities arising from:

(a) Violations of chapters 32, 51, 52, and 53 and §§ 7652 and 7653 (chapter 78), Title 26 U.S.C. as follows:

1 Cases in which the offer in compromise does not exceed \$100,000 and the tax liability sought to be compromised does not exceed \$250,000.

2 Cases of late filed tax returns or late paid excise tax where the penalties sought to be compromised do not exceed \$500,000 and the offer in compromise does not exceed \$100,000.

(b) Violations of the FAA Act where cases include an offer in compromise which does not exceed \$100,000.

(c) Cases that combine liabilities arising under chapter 51, Title 26 U.S.C. and the FAA Act where the tax liability sought to be compromised does not exceed \$250,000 and the offer in compromise does not exceed \$100,000.

(2) The division chief (compliance) in whose area of responsibility the majority of violations pertains will be the deciding official to accept or reject offers which compromise the liabilities, including those cases which are designated as national investigations/cases by Bureau Headquarters.

c. *Regional Directors (Compliance).* (1) Each regional director (compliance) is authorized to accept or reject offers in compromise of tax liabilities and penalties arising from:

(a) Chapter 51, Title 26 U.S.C., as follows:

1 Illegal production of untaxpaid distilled spirits, wines, or beer.

2 Failure to file returns of, or to pay, occupational taxes with respect to distilled spirits, wines, or beer.

(b) Chapter 53, Title 26 U.S.C. (failure to pay firearms making, transfer, and occupational taxes).

(2) Each regional director (compliance) is authorized to accept or reject offers in compromise of criminal

liabilities of retail dealers in alcoholic beverages arising from violations of the Internal Revenue laws relating to alcoholic beverages, including the refilling or reuse of liquor bottles.

(3) Each regional director (compliance) is authorized to accept or reject offers in compromise of all liabilities arising from:

(a) Violations of chapters 32, 51, 52, and 53, and §§ 7652 and 7653 (chapter 78), Title 26 U.S.C., not enumerated in paragraphs 5c(1) and (2), as follows:

1 Cases in which the offer in compromise does not exceed \$10,000 and the tax liability sought to be compromised does not exceed \$20,000.

2 Cases of late filed tax returns or late paid excise tax where the penalties sought to be compromised do not exceed \$50,000 and the offer in compromise does not exceed \$10,000.

3 Cases that pertain to specially denatured alcohol (SDA) or taxfree (TF) alcohol where the offer in compromise does not exceed \$10,000 and the tax liability sought to be compromised is based upon either (a) use of SDA or TF alcohol for unauthorized purposes or (b) activities to which no liability would normally attach if the proponent completed required notification and/or approval procedures, but for which the proponent failed to complete such procedures. This delegation is limited to cases in which the misuse of SDA or TF alcohol or the activities in question are:

a Not willful, and

b Not for beverage purposes, and

c Not for a purpose that poses a health risk to the public, and

d Not for any purpose that poses a jeopardy to the revenue.

(b) Violations of the FAA Act where cases include an offer in compromise which does not exceed \$10,000.

(c) Cases that combine liabilities arising under chapter 51, Title 26 U.S.C., and the FAA Act where the tax liability sought to be compromised does not exceed \$20,000 and the offer in compromise does not exceed \$10,000.

(4) Each regional director is authorized to accept or reject offers in compromise arising from cases outlined in paragraph 5b provided the following circumstances apply:

(a) The final action to be taken follows specific written case resolution guidance previously furnished by the division chief (compliance).

(b) The relevant circumstances of the case have not changed subsequent to the guidance of the division chief (compliance).

(5) *Offers Encompassing Violations in Multiple Regions.* (a) The regional director (compliance) in whose region the permittee or brewer responsible for

the majority of violations is located will be the deciding official for offers involving violations or permittees in more than one region. However, cases that include a previously issued order to show cause will be resolved by the regional director who authorized issuance of the order.

(b) Tax cases regarding members of controlled groups as defined in 26 U.S.C. 1563(a) will generally be resolved by the regional director (compliance) in whose region the members are located. However, if multiple liabilities for the same tax period(s) have occurred as a result of preparation of late filed tax returns or late paid tax handled by a central location, the penalties will be resolved by the regional director (compliance) in whose region lies the central location.

(c) This authority does not include:

1 Cases which are designated as national investigations/cases by Bureau Headquarters, or

2 Cases where the total amount of such a liability exceeds the levels delegated to regional director (compliance).

d. *Chief, Tax Processing Center.* The Chief, Tax Processing Center is authorized to accept or reject offers in compromise of all tax liabilities arising from violations of chapters 32, 51, 52, and 53, and §§ 7652 and 7653 (chapter 78), Title 26 U.S.C., in the following situations:

(1) Floor stocks tax and special (occupational) tax cases in which the offer in compromise does not exceed \$5,000 and the tax liability sought to be compromised does not exceed \$10,000. This authority does not include offers in compromise from alcohol and tobacco permittees except for those permittee cases included in paragraph 5d(2). Decisions regarding special (occupational) taxes imposed by 26 U.S.C. chapter 53 will be coordinated with the Chief, National Firearms Act Branch.

(2) Enforced Collection cases in which the offer in compromise does not exceed \$5,000 and the tax liability sought to be compromised does not exceed \$10,000. Cases in excess of these amounts will be referred to Bureau Headquarters for evaluation.

(3) Floor stocks tax, special (occupational) tax, and enforced collection cases which meet the criteria outlined in paragraph 5b(1)(a), provided the following circumstances apply:

(a) The final action to be taken follows specific written case resolution guidance previously furnished by the division chief (compliance).

(b) The relevant circumstances of the case have not changed subsequent to the

guidance of the division chief (compliance).

6. *Redelegation.* The authority delegated herein may not be redelegated.

7. *For Information Contact.* Gary Malaskovitz, Tax Compliance Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927-8220.

8. *Effective Date.* March 14, 1994.

Approved: March 7, 1994.

John W. Magaw,
Director.

[FR Doc. 94-5803 Filed 3-11-94; 8:45 am]

BILLING CODE 4810-31-U

Internal Revenue Service

Tax on Certain Imported Substances; Notice of Determination; Bisphenol-A; Etc.

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice.

SUMMARY: This notice announces a determination, under Notice 89-61, that the list of taxable substances in section 4672(a)(3) of the Internal Revenue Code will be modified to include bisphenol-A and alpha-methylstyrene.

EFFECTIVE DATE: This modification is effective July 1, 1990.

FOR FURTHER INFORMATION CONTACT: Tyrone J. Montague, Office of Assistant Chief Counsel (Passthroughs and Special Industries), (202) 622-3130 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

Under section 4672(a) of the Internal Revenue Code, an importer or exporter of any substance may request that the Secretary determine whether such substance should be listed as a taxable substance. The Secretary shall add such substance to the list of taxable substances in section 4672(a)(3) if the Secretary determines that taxable chemicals constitute more than 50 percent of the weight, or more than 50 percent of the value, of the materials used to produce such substance. This determination is to be made on the basis of the predominant method of production. Notice 89-61, 1989-1 C.B. 717, sets forth the rules relating to the determination process.

Determination

On March 5, 1990, the Secretary determined that bisphenol-A and alpha-methylstyrene should be added to the list of taxable substances in section 4672(a)(3) of the Internal Revenue Code, effective July 1, 1990.